

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION**

CRIMINAL NO. 4:98CR144

UNITED STATES OF AMERICA

VS.

LLOYD ANTHONIE WILLIAMS

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ORDER

THIS MATTER is before the Court on Defendant's request pursuant to the "Privacy Act . . . to Correct Information Maintained in Your Agency Files and Amendment of Records," filed October 2, 2008. **See 5 U.S.C. § 552a.** The motion is denied.

Defendant seeks to use the Privacy Act as a means to amend his presentence report with respect to two 1991 felony drug convictions in state court.¹ The Privacy Act has no applicability here; it is only a creative means utilized by the Defendant in an attempt to resurrect a dead issue. This issue has been thoroughly reviewed by the Fourth Circuit as well as by this Court as recently as March 2008. **See *United States v. Williams*,**

¹ These convictions were responsible, in part, for the Defendant being sentenced as an armed career criminal.

57 F. App'x 553, 555-56 (4th Cir. 2003); Order, filed November 28, 2007 (denying Defendant's motion to amend presentence report); Memorandum and Order, filed March 12, 2008 (denying Defendant's motion to vacate Court's Judgment dismissing his 28 U.S.C. § 2255 motion). Defendant's appeal of the Court's March 12, 2008, Order is pending with the Fourth Circuit.

IT IS, THEREFORE, ORDERED that Defendant's request pursuant to the Privacy Act is hereby **DENIED**.

Signed: December 11, 2008



Lacy H. Thornburg
United States District Judge

